

Application for registration of land as a Village Green - Fuller Summary

This application relates to a parcel of land measuring approximately 0.141 Hectares in the middle of the Hillcrest Estate in Aberhafesp, Powys. Postcode SY16 3HL.

Hillcrest is an enclosed estate of 22 properties a short distance from St. Gwynog's Church and adjacent to Aberhafesp Hall. The estate has a single entrance from the B4568, the rest of the estate is surrounded by private property and agricultural land.

The properties do not have gardens large enough for an active child and his/her friends to ride their bicycles or play ball games in. There are only two areas available for communal recreation in this location, the estate road and the central green. In my 28 years here the central green has always been available to the residents, it has never been fenced-off, and has never had any signs up to say that it should not be used by the residents.

The access to the estate is its junction with the B4568 which can be a busy with a lot of agricultural traffic. Apart from a few metres either side of the estate entrance, there is no verge or pavement either side of the B4568 in this area so there is no safe route off of the estate for children. Even if the children could safely access the B4568 there is nowhere for them to go.

As a consequence the green has always been the recreation area for the children living here. The furthest property is only 70 metres from the green, with 50% of the properties 10 metres or less from the green. It would be absurd to suggest that children would not use the central green given its location and the complete absence of alternatives. Parents on the estate have encouraged their children to play on the green because it is safe and also overlooked by many of the properties, so the children generally have someone discretely watching over them. Many parents, myself included, have regularly played ball games on the green with their children.

The green has been the location for social gatherings of the adult residents, and also for Residents Association meetings, once again because it is the obvious location. It has also been used by some residents for exercising small dogs but not for the entire 20 year qualification period. It has been used as a landing site by the Air Ambulance. I acknowledge that the use of the green by the adult residents for social gatherings where food and drink are consumed are infrequent being restricted to the summer months only (apart from November 5th), but this application for registration is primarily based on its regular use as a recreation area by the children.

Clearly I am also not claiming that the green is in continuous daily use, there are periods in the autumn and winter when very wet or cold weather prevents anyone from wanting to be outdoors, except for making snowmen or throwing snowballs at each other. I imagine that this is true of other Village Greens.

I moved here in October 1988 and have lived here continuously since then, a period of 28 years. At the time of the move here my sons were 1 year old and 3 years old. At that time there were older children from other resident families already using the green for recreation and sport. My children used the green with my wife or myself at first, and were certainly both using the green regularly unsupervised 25 years ago.

Since I moved here there have always been children using the green for sport and other recreational activities when the weather permits. The landowners did not maintain the green for most of the 28 years that I have lived here, they only started cutting the grass this year since their Planning Application. In the decades before the Planning Application was submitted the only time I recall seeing the landowners was when they were delivering their annual sewage charge bills. For the previous decades the green has been voluntarily maintained by the residents, primarily and admirably by Lynn Jones (No. 11 Hillcrest) and to a lesser but significant extent by Michael Jones (No. 2 Hillcrest) when he and his family lived here.

Over the years many families have come and gone but their children have always used the green to play and socialise with the other children. A few families have remained after their children have departed for the wider world but even they still use the green when they are taking care of their grandchildren.

I have not kept a log of the usage of the green over the last two decades, nor did I take photographs to prove its usage. I have therefore requested the current families who live here to give me written testimonies of its useage from their perspective to support this application. These will show that the green has been used for recreation by children and adults "as of right" for far longer than the 28 years I have personally witnessed.

Whilst I accept that this is a small community it is a tight-knit one. Also the area I am asking to be registered as a Village Green is a small area and in proportion to the size of the community, not a vast expanse of land.

I am not asking for the area between No.11 and No.13 to be included in the Village Green parcel. Whilst many children have played in that area, and continue to do so, it was not used as frequently or consistently as the main green. It was not maintained by the residents and therefore became overgrown and not child-friendly. For this reason it has never been used for adult social gatherings or meetings either so there is no justification to include it as part of the green.

This leaves the landowners, Mr. GPP and Mr. F Davies free to build on that plot, identified as Plot 12 on the Application for Outline Planning Permission P/2016/0131. I also realise that vehicular access would be required to make Plot 12 viable so have not taken the parcel applied for all the way to No.13, only as far as the existing kerb edging at this part of the green.

I have attached letters from existing residents to reinforce my assertion that this qualifies as a village green, and one letter from a resident's daughter who grew up here. Please read them to see how important the green is to our community.

One of the letters (from Bob Hill who lives in Y Gilfach) lists the families with children that he can remember living here, he lists them as

Humphrey Davies - 3 children
Rich Amy - 2 children
Brian Poole - 3 children
Flemings - 1 child
Gareth & Helen Owen - 2 children
Tony Orme - 3 children
Peggy Bound - 2 children
Marie & Keith - 3 children
Brandon & Ruth Lane - 3 children
Jimmy Rutter - 3 children
Charlie - 3 children
Marg & Robin - 1 child
Sharon & Jason Bright - 3 children
Donaways - 2 children
Andy McDonald - 2 children

Additionally I can remember...

Davis - 3 children ([REDACTED])
Barfoot - 2 children ([REDACTED])
Burrows - 2 children ([REDACTED])
Marks - 2 children ([REDACTED])

I have attached an OS map of the estate "A" with the Hillcrest estate envelope marked and the Village Green parcel marked.

I have attached a sheet with two photographs "B". These are the only pictures I have of the green. I can't date the first photograph, but my dog in the photograph died in 2008 so it was some time before that (circa 2000 I believe judging by my car). I included it as it shows a blown-over football goal on the green half-buried in the snow, showing that the use of the green for sport activity was not just during the summer months. The second photograph was taken by me on the 16th October 2016. You have my word that this was not a photograph I staged. It shows typical activities with current residents George and Brett playing football, watched by Renee, all children from different families.

Photograph "C" is just a close-up from the first photograph on sheet "B" so that the goal can be more clearly seen.

Richard Amy A



01/11/2016

(Signature redacted)